



30 JAN 2008

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In re Application of REVIE et al.

Application No.: 10/598,593

PCT No.: PCT/GB05/00855

Int. Filing: 07 March 2005

Priority Date: 03 March 2004

Attorney Docket No.: DEP5300

For: IMPLANTABLE MARKER,  
INSTRUMENTS AND METHODS

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DECISION ON

DECLARATION

This application is before the Office of PCT Legal Administration for consideration of issues arising under 35 U.S.C. 371 and applicant's submission entitled "Submission of Combined Declaration and Power of Attorney" filed on 15 November 2007 in the United States Patent and Trademark Office (USPTO).

On 11 April 2007, a Notification of Missing Requirements was mailed to applicants indicating that, *inter alia*, an oath or declaration, in compliance with 37 CFR 1.497(a) and (b) and 37 CFR §§1.66 or 1.68, was required.

On 07 August 2007, a Response to the Notification of Missing Requirements was filed in the USPTO accompanied by executed declarations. A decision was mailed on 15 October 2007 stating that the declarations had been altered and a newly executed declaration was required.

On 15 November 2007, applicant filed six declarations, executed by the inventors.

### DISCUSSION

Applicant has now filed a declaration which was newly executed by inventor Ian Revie. Applicant also filed declarations executed Robert Butcher, Alan Ashby, Paul Gibbons, Ben Stung, Tom Patterson, Jury Baldewein, Yaacov Nitzan and Brooks James.

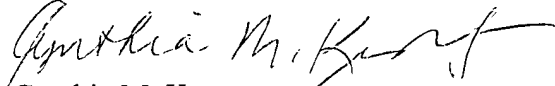
It is noted that Yaacov Nitzan has again made an alteration to his declaration correcting his mailing address. This alteration is acceptable as it is initialed and dated by the inventor and is accompanied by the statement of the attorney.

The declarations are acceptable as filed and thus, the requirements of 37 CFR 1.497 (a) and (b) have been met.

**CONCLUSION**

The declarations executed by the inventors, is in compliance with 37 CFR 1.497(a) and (b) and 1.63, and satisfies the requirements of 35 U.S.C. 371 (c)(4) for entrance into the national stage in the United States.

The application will be forwarded to the United States Designated/Elected Office (DO/EO) for further processing. The 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date is 15 November 2007.



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